

DEFINITIONS

1. The definitions and rules of construction set forth in Local Civil Rule 26.3 (Uniform Definitions in Discovery Requests) of the Local Rules of the United States District Court for the Southern District of New York are incorporated by reference, as though fully set forth at length herein. You are particularly advised that:
 - a. Local Civil Rule 26.3(c)(1) defines the term “communication” to mean “the transmittal of information (in the form of facts, ideas, inquiries or otherwise).”
 - b. Local Civil Rule 26.3(c)(2) defines the term “document” to be synonymous in meaning and equal in scope to the usage of the terms “documents or electronically stored information” in Fed. R. Civ. P. 34(a)(1)(A) and also includes all drafts or non-identical copies of any document; and
 - c. Local Civil Rule 26.3(c)(7) defines the term “concerning” to mean “relating to, referring to, describing, evidencing or constituting.”
 - d. Local Civil Rule 26.3(d)(1) instructs that the terms “all,” “any,” and “each” shall each be construed as encompassing any and all.
 - e. Local Civil Rule 26.3(d)(2) instructs that the connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
 - f. Local Civil Rule 26.3(d)(3) instructs that the use of the singular form of any word includes the plural and vice versa.

2. The term “Arivec Chemicals Site” refers to the former approximately 3-acre solvent recycling facility operated by Arivec Chemicals, Inc. located in Douglasville, Georgia, with the assigned EPA ID # GAD990740714.

3. The term “Grumman” refers to Northrop Grumman Systems Corporation and all of its predecessors, including but not limited to Northrop Grumman Corporation, Grumman Corporation and Grumman Aircraft Engineering Corporation.

4. The terms “EPA” and “You” refer to the Environmental Protection Agency and any of its predecessor agencies.

5. The term “claim” refers to any claim, lawsuit, legal or administrative proceeding, demand for legal or equitable relief, or other demand for payment of funds or remedial action, or a declaration or determination of rights and duties therefor, concerning alleged environmental pollution or contamination of soil or groundwater.

6. The terms “environmental pollution” or “environmental contamination” mean pollution or contamination, whether potential, actual, threatened, or alleged, whether known or unknown, whether denominated as potential, actual, threatened, or alleged damage, to any air (whether indoor, outdoor, ambient, or otherwise), atmosphere, land, soil, water, water course, body of water, surface water, groundwater, biota, or any other tangible thing or resource arising out of the actual, potential, alleged, or threatened discharge, dispersal, release, emission, seepage, or escape of any pollutant, contaminant, or hazardous waste, including but not limited to smoke, vapors, soot, fumes, acids, alkalis, chemicals, liquids or gases, fungi (including mold, mold spores and parts of mold spores, and mycotoxins), waste or waste materials, asbestos, or other irritants, contaminants, or pollutants, whether or not harmful, hazardous, or toxic.

7. The term “St. Augustine Site” refers to the aircraft stripping, repainting, refurbishing and manufacturing facility owned and operated by Grumman in St. Augustine Florida.

8. The term “Stuart Site” refers to the aircraft maintenance and repair facility formerly operated by Grumman in Stuart, Florida on land leased from Martin County.

DOCUMENT REQUESTS

1. All documents and communications concerning any claims against Grumman alleging environmental pollution or contamination of soil or groundwater and seeking payment of or reimbursement for environmental clean-up costs; any remedial investigation/feasibility study, requests for information, or other environmental investigation; or a declaration or determination of rights and duties therefor, in connection with any of the following locations:

- a. Arivec Chemicals Site, Douglasville, GA
- b. St. Augustine Site, St. Augustine, FL
- c. Stuart Site, Stuart, FL

2. All documents and communications addressed to, or issued by or on behalf of, the EPA concerning Grumman regarding any of the locations identified in Request No. 1 above.

3. All documents and communications concerning alleged environmental pollution or contamination of soil and groundwater by Grumman at any of the locations identified in Request No. 1 above.

4. All documents and communications concerning alleged environmental pollution or contamination of soil and groundwater at any of the locations identified in Request No. 1

above, including any environmental studies of the locations and any information regarding the historical commercial operations and waste discharges at the locations.

5. All documents and communications concerning any claim by Grumman against any third party—including but not limited to Vought Aircraft Industries, Inc. or Fairchild Corporation—concerning any of the locations identified in Request No. 1 above.

6. Any and all record retention schedules in effect from January 1, 1951 to the present that were, are, or might be applicable to any of the documents that are the subject of this subpoena.